

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS CLARK
COUNTY, INDIANA JANUARY 19, 2001**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on January 19, 2000 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Dennis Hill and David Lewis, Secretary/Administrative Assistant Pam Smith, County Attorney Scott Lewis, County Auditor Barbara Haas, and Deputy Auditors Margie Hommel and Theresa James. All references to "Commissioner Lewis" refer to David Lewis. All references to "Mr. Lewis" refer to Scott Lewis. Commissioner Lewis and Mr. Lewis are not related.

The regular meeting was called to order at 5:31 P.M. by President Dennis Hill.

In the first order of business a motion was made by Commissioner Lewis to table the approval of the minutes from the previous meetings until the meeting of February 2, 2000 so that the Board will have an opportunity to look them over. The motion was carried 2-0.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to ratify the approval of the payroll claims for January 4, 2001 and approve the payroll claims for January 18, 2001.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a 2-0 vote the Board voted to approve vendor claims.

A motion was made by Commissioner Lewis and seconded by Commissioner Hill to award the **bid** for the **Filing System** for the Courts to **Shelf Plus Inc.** for \$86,791.05 contingent upon the Courts funding. \$46,791.05 and the Commissioners funding an amount not to exceed \$40,000.00 from the Cum Cap fund. The motion was carried 2-0. (See attached)

Mr. **Virgil Bolly** appeared before the Board, and after a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to approve and authorize President Hill's signature on a **Certificate of Public Approval By Applicable Elected Officer (Re: Sellersburg Volunteer Fire Department, Inc. Tax Exempt Financing 2001** in the Aggregate Principal Amount of \$700,000.) (See attached)

Mr. **Bill Smith** appeared before the Board with somewhat of a history lesson on Clark County hoping to advise the Board of The **200 Bicentennial (February 3, 1801-February 3, 2001)** of the creation of Clark County, with a hope to bring this to the attention of the public. Commissioner Lewis suggested that they meet and discuss a plan to celebrate this in some fashion.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to approve the certification of **Dr. Kevin Burke** as the **Clark County Health Officer**.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to approve a **Contract** for legal services between the **Clark County Health Department** and **James A. Kiser**. (See attached)

A motion was made by Commissioner Lewis and seconded by Commissioner Hill to approve and have President Hill sign the **Aids Prevention Grant Agreement** between the State of Indiana and the Clark County Health Department, which is one hundred percent funded by the State. The motion was carried 2-0.

Mrs. **Jill Saegesser, River Hill Economic Development District**, appeared before the Board and submitted the Board with Subrecipient Semi-Annual Reports on the **Utica Township Volunteer Fire Department, New Hope Services, Inc., Childplace and Family Health Care Center of Clark County**. A motion was made by Commissioner Lewis and seconded by Commissioner Hill to approve said reports and authorize the signature of President Hill.

Ms. **Sharon Wilson, Clark County Drainage Board**, accompanied by **David Nachand**, Attorney, appeared before the Board with a report and submitted a Budget Request totaling \$42,860.00. Ms. Wilson reported that there are four issues that need to be addressed concerning the Drainage Board including detecting existing drainage problems, review subdivision plats along with the Planning Commission for drainage problems, prepare for the mandate on the EPA Phase 2 Study and a Statute with respect to regulate drainage and maintenance control. A motion was made by Commissioner Lewis and seconded by Commissioner Hill to table until the next meeting which is February 1, 2000 so that the Board will have a chance to review what funding is available and speak with the County Council members. The motion was carried 2-0. (See attached)

Mr. **Jim Rice** and Mr. **Bob Harrell** from **Seico Engineering** appeared before the Board with an update on Seico's pending projects for the County. Mr. Rice stated that he or someone from his staff will attend one meeting per month with a report.

Mr. **Reggie Homer, American United Life Insurance Company**, appeared before the Board with a presentation on his Companies 457 Plan (401K Retirement Plan).

County Engineer Hyun Lee submitted the **Annual Highway Employee Evaluations** for the record.

Mr. Hyun Lee, County Engineer, submitted the **Highway History of Snow/Ice Control Equipment**. (See attached)

Mr. Hyun Lee, County Engineer, reported to the Board that the County will need an additional 1000 (one thousand) pound of salt this winter. Due to a shortage it may be difficult to make this purchase so it will be necessary to adjust the ratio of the mixture until the additional salt is purchased. The ratio being used is 2 buckets cinders, 1 bucket chip and 1 bucket salt.

Mr. **Mike Harris, Jacobi, Toombs and Lanz**, appeared before the Board with a **Clark County Landfill Gas Extraction System Contractor Request for Time Extension** (Contractor: LFG&E) until March 30, 2001. After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board granted said request. Mr. Harris requested that the Commissioners grant an easement to **REMC** at the Landfill as a necessary part of the gas extraction project. Commissioner Lewis disclosed that he is the Attorney for REMC but he was not consulted by them about the easement, was not alerted to the need for the easement prior to the meeting, and felt like this was a ministerial act. Mr. Harris emphasized the importance of granting the easement and recommended that it be granted. The project would be stalled without the easement.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to sign and approve a 10' right of way **easement for REMC**. (see attached)

Mr. **Jack Vissing**, Attorney, representing Mr. Gary Gilmore who was also present, appeared before the Board in reference to a Subdivision that **Mr. Gilmore** is planning in the **Steeplechase and Old Stoner Place area**. The Board referred the Gentlemen back to Mr. Lee, County Engineer for his recommendation.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to approve and sign the **Specifications and Notice to Bidders** for the **general reassessment** of real property by Professional Appraisers for the year 2002 pay 2003. The bid opening will be February 15, 2001 at the regular meeting. (see attached)

County Attorney Scott Lewis advised the Board that a Subdivision in Wood Township by the name of **Norwestwood Subdivision Section #1** developed by Emerald Development Incorporated has not been completed as agreed in their performance agreement August 10, 1999 secured by a letter of credit in the amount of \$89,789.00. According to the performance agreement work such as roads and utilities was to be completed by July 10,2000 under the Letter of Credit the Board of Commissioners, with the certification of the County Engineer that they are in default, can demand that the Line of Credit be paid to the County. A motion was made by Commissioner Lewis and seconded by Commissioner Hill to authorize Attorney Scott Lewis to investigate this and proceed with all legal remedies to rectify this situation. The motion was carried 2-0.

A motion was made by Commissioner Lewis and seconded by Commissioner Hill, to ratify the change in the yearly meeting schedule notice that is sent out to the media omitting the reference to an executive session. The Board does not intend to have an **executive session** before every scheduled meeting. Scott Lewis, County Attorney, advised the Board that pursuant to Indiana Statute there is a special exception where that the Executives of the County can meet in what is called Administrative Functions without posting notices or contacting the media. If they call an executive session they will comply with the Indiana Statute and make the proper notices. The motion was carried 2-0.

Sheriff Becher appeared before the Board offering his service to the Board in whatever they need such as the presence of himself or someone from his office at the meetings or their availability to serve papers.

The Treasurer's monthly report for December and the Clerk of the Courts monthly reports for September and October were submitted for the record. After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to accept said reports.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to approve a **Contract** for **David Nachand**, Attorney, for Legal Services to **County Plan Commission and County Board of Zoning Appeals** for the year 2001 subject to the approval of the Planning Commission.

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to approve a **Contract** for **Frank Ballard**, Attorney, for **Bankruptcy, Tax Collection and other Legal Services** for the year 2001. (See attached)

A letter was submitted for the record from the Clark County Prosecutor's Office expressing their appreciation for the outstanding work of Jerry Hall, Marcus Chapman, and the dispatchers at **Central Alarm**. (See attached)

After a motion by Commissioner Lewis, seconded by Commissioner Hill, and a vote of 2-0, the Board voted to table the Appointments listed on the Agenda until the next meeting when all three Members are present.

There being no further business to come before the Board and on a motion made by Commissioner Lewis, seconded by Commissioner Hill, and unanimously carried, the meeting was adjourned.

**BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA**

DENNIS HILL, PRESIDENT

DAVID LEWIS, MEMBER

RAYMOND PARKER, MEMBER (ABSENT)

ATTEST: BARBARA HAAS, CLARK COUNTY AUDITOR

DATED: 02-01-01